

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CRIMINAL NO. 1:09CR23

UNITED STATES OF AMERICA

VS.

PERRY ROGER SHIPPY

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ORDER

THIS MATTER is before the Court on Defendant's *pro se* motions to compel, to appeal the "bond hearing," for dismissal, and to suppress.

Because the Defendant is currently represented by counsel, his *pro se* motions will be summarily denied. ***United States v. D'Amario*, 2008 WL 624768 at *1, 2008 U.S. App. LEXIS 5079 at *4 (3d Cir. 2008)** (holding that district courts are not obligated to consider *pro se* motions from a defendant who is represented by counsel because "[t]he Constitution does not confer a right to proceed simultaneously by counsel and *pro se*"). The Defendant is instructed to communicate with the Court only through his attorney.

IT IS, THEREFORE, ORDERED that Defendant's *pro se* motions to compel, to appeal, for dismissal, and to suppress are hereby **DENIED**.

Signed: May 12, 2009

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

